

Every Student Succeeds Act (ESSA)

Q & A

- Q. Is there any flexibility for schools/districts that have high numbers of opt outs?**
- A. In the 2015 assessment we were able to use the rolling average of the last three years of participation rate to help the participation number and to help school districts meet the AYP requirement of 95%. We will be able to use this average again in 2016; however, it will be harder for the rolling average to protect schools if there is another year of high opt outs.
- Q. Will districts have to provide SES for the 2016-2017 school year?**
- A. On January 29, 2016, the North Dakota Department of Public Instruction (NDDPI) received a “Dear Colleague” letter from the U.S. Department of Education (USDE) announcing that schools identified for improvement have the option to set-aside up to 20% of their Title I funds and offer supplemental education services to eligible students for the transition year (2016-2017). For the schools that do not set-aside funds, the state must submit a transition plan and require LEAs to identify what alternative supports will be in place for students who would have received supplemental educational services.
- Q. Will this spring’s test be the same one that was used last year?**
- A. The state assessment for the spring of 2016 will be the same as last year.
- Q. Is the ESSA Regional Workshop in April 2016 for principals or superintendents?**
- A. The regional training workshop scheduled in three locations in April 2016 is applicable to all educators (superintendents, principals, teachers, counselors, etc.) as information will be provided on the new ESSA federal law.
- Q. Does this mean students must take all parts of the Smarter Balanced test in spring 2016?**
- A. Yes. Smarter Balanced will again be used in the spring of 2016; however, the North Dakota State Assessment has three components: 1) adaptive cognitive content knowledge, 2) classroom activity, and 3) performance task. The State of North Dakota is no longer requiring that the classroom activity preceding the performance task portion of the assessment be administered. This is a change from last year and will reduce testing time up to 90 minutes. The district/school building may still choose to conduct the classroom activity that precedes the performance task.
- Q. Will the due dates for the consolidated application remain the same for the 2016-2017 school year?**
- A. Yes. The due date for future consolidated applications for federal Title funding will continue to be the last Friday in August.
- Q. Does the performance task have to be given or is this optional?**
- A. The performance task is still a required component of the North Dakota State Assessment.
- Q. Will there be Title I and Title II reallocated funds under ESSA?**
- A. Potentially. The NDDPI has Title I and Title II reallocated funds to distribute yearly if there are excess funds after final financial reports have been processed or if districts elect to give up their Title I and/or II funding.

Q. Is it our understanding that the class size reduction provision remains an allowable activity under Title II within ESSA?

A. Yes. Under ESSA, districts may continue to use their Title II funds for class size reduction. However, there are many more allowable uses for these funds under ESSA, and the NDDPI encourages school districts to thoroughly examine and consider all options based on what will most benefit their students.

Q. Are the Title I paraprofessional requirements eliminated or maintained under ESSA?

A. The Title I paraprofessional requirements are maintained in the new ESSA federal law.

Q. How soon could a school start planning to go schoolwide using the new state flexibility waiver under ESSA?

A. The NDDPI has posed this question to the USDE and is currently awaiting their response.

Q. If the high quality teacher provision is eliminated from North Dakota state law, how will the Parents' Right to Know Clause be affected?

A. ESSA maintains the Parents' Right to Know provision. Being highly qualified under ESSA simply asks – does each teacher meet the state teacher licensing requirements?

Q. Can the ACT test be the assessment for grade 11 rather than the North Dakota State Assessment?

A. Superintendent Baesler's Assessment Task Force is currently reviewing this option as to whether this might work for North Dakota. This option could possibly be allowable under ESSA.

Q. Would it be possible for the Assessment Task Force to look into creating only one performance task for both English language arts and mathematics?

A. As a member of Smarter Balanced Governing Board, we can ask our fellow member states to begin investigating the creation of this option.

Q. How does the Supplement, not Supplant regulation change under ESSA?

A. The supplement, not supplant provision under ESSA is much more flexible. However, the NDDPI needs to wait and see how the USDE interprets the law and outlines it in the federal guidance that will be forthcoming to states and districts.

Q. Will districts in improvement lose the ability to set-aside 10% of their Title I funds for professional development to be used in all schools districtwide?

A. For the 2016-2017 school year, states are still operating under NCLB and, therefore, all districts and schools that continue to be identified for improvement in years one and two will be required to set-aside 10% of their Title I funds for professional development. Districts and schools in years three and beyond will have the option to set-aside funds for professional development. However, under ESSA, there is no set-aside provision for program improvement related to professional development.

Q. How does the REAP/Transferability/Co-mingle option look under ESSA?

A. There is a transfer provision in ESSA which states that districts are allowed to transfer 100% of their Title II and Title IV funds between each other. Districts may transfer funds into Title I and Title III; however, it is not allowable to transfer funds out of those two programs.

Q. What are some details about the new Title IV under ESSA?

- A. A new Title IV Part A Block Formula grant, renamed Student Support and Academic Enrichment, is established under ESSA. With these grant funds, districts are expected to fund activities in each of the three categories:
- Well-Rounded (at least 20% of funds) which includes Advanced Placement and International Baccalaureate test fee reimbursement, STEM, Arts and Computer Science.
 - Healthy Students (at least 20% of funds) which includes bullying and drug abuse prevention.
 - Technology (at least one activity, and a limitation is placed on the purchase of technology infrastructure).

Q. How will North Dakota interpret and deploy the flexibility afforded in ESSA?

- A. The NDDPI will carefully review all flexibilities offered to states under ESSA and will take full advantage of those that will benefit North Dakota districts and schools.

Q. How will the “transition” year of 2016-2017 be addressed as painlessly as possible?

- A. School districts will receive detailed information at the Regional ESSA Workshops regarding the regulations and processes that will be followed during the transition year from NCLB to ESSA. The ESSA Regional Training Workshops will be held in three locations statewide in April 2016. The NDDPI will utilize every flexibility that is being provided to states.

Q. Are there any big changes under Title III for ELL students in ESSA?

- A. ESSA makes several significant changes to the current Title III program, some of which include:
- Replaces prior English Language Learners (ELLs) with English Learners (ELs)
 - States must set entry and exit procedures
 - Title III accountability measures are put under Title I
 - Adds two additional reporting requirements:
 - ✓ ELs with disabilities
 - ✓ Long-term ELs